

70-3a-305 Duration and renewal.

- (1) The registration of a mark under this chapter expires five years after the date the division certifies the registration under Section 70-3a-304.
- (2) A registration may be renewed for an additional five years from the date a registration expires if the registrant:
 - (a) files an application with the division:
 - (i) no sooner than six months before the expiration of the registration and no later than six months after the expiration of the registration; and
 - (ii) in accordance with the requirements made by rule by the division:
 - (A) pursuant to Section 70-3a-201; and
 - (B) consistent with this section; and
 - (b) pays a renewal fee determined by the division in accordance with Section 70-3a-203.
- (3) If a registrant complies with this section, the registrant may renew a mark at the expiration of each five-year term.
- (4)
 - (a) A registration in effect before May 6, 2002:
 - (i) shall continue in full force and effect for the registration's unexpired term; and
 - (ii) may be renewed by:
 - (A) filing an application for renewal with the division:
 - (I) within the time prescribed in Subsection (2)(a)(i); and
 - (II) in accordance with rules made by the division pursuant to Section 70-3a-201; and
 - (B) paying the required renewal fee determined by the division in accordance with Section 70-3a-203.
 - (b) If a registration in effect before May 6, 2002, is renewed in accordance with this Subsection (4), the registration shall be renewed for a term of five years.
- (5) Any application for renewal under this chapter, whether a registration made under this chapter or a registration made under a prior Utah statute, shall include:
 - (a) a verified statement that the mark has been and is still in use; and
 - (b)
 - (i) a specimen showing actual use of the mark on or in connection with the goods or services;
or
 - (ii) a verified statement that the mark has not changed.

Amended by Chapter 58, 2012 General Session